

T-12593

T-12593

Permit Amendment

WITHDRAWN

DESTROY ON OR AFTER
12-20-2023

Name Heffernan Family Trust
(Chris Heffernan President)
Address 63600 Viewpoint Ln
North Powder, OR 97867

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A Well
Trib. of Clower Cr. Basin
Use Irrigation County Union um 7
Quantity of water (CFS) _____ No. of Acres _____
Name of ditch _____
App# G-16902 Per # G-17645 Cert # _____ PR Date 2007
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID
Date 2/23/17 Amount \$1,000.00 Receipt # 122736

Change in POU
Date Filed 2-23-17
Initial notice date _____
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO WD 12-20-2018 Vol. 112 Page 112

FEES REFUNDED
Date 12/20/18 Amount \$750.00 Receipt # 19048504

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Gregory T. Blacuman
126 Ridge Dr. La Grande, OR 97850

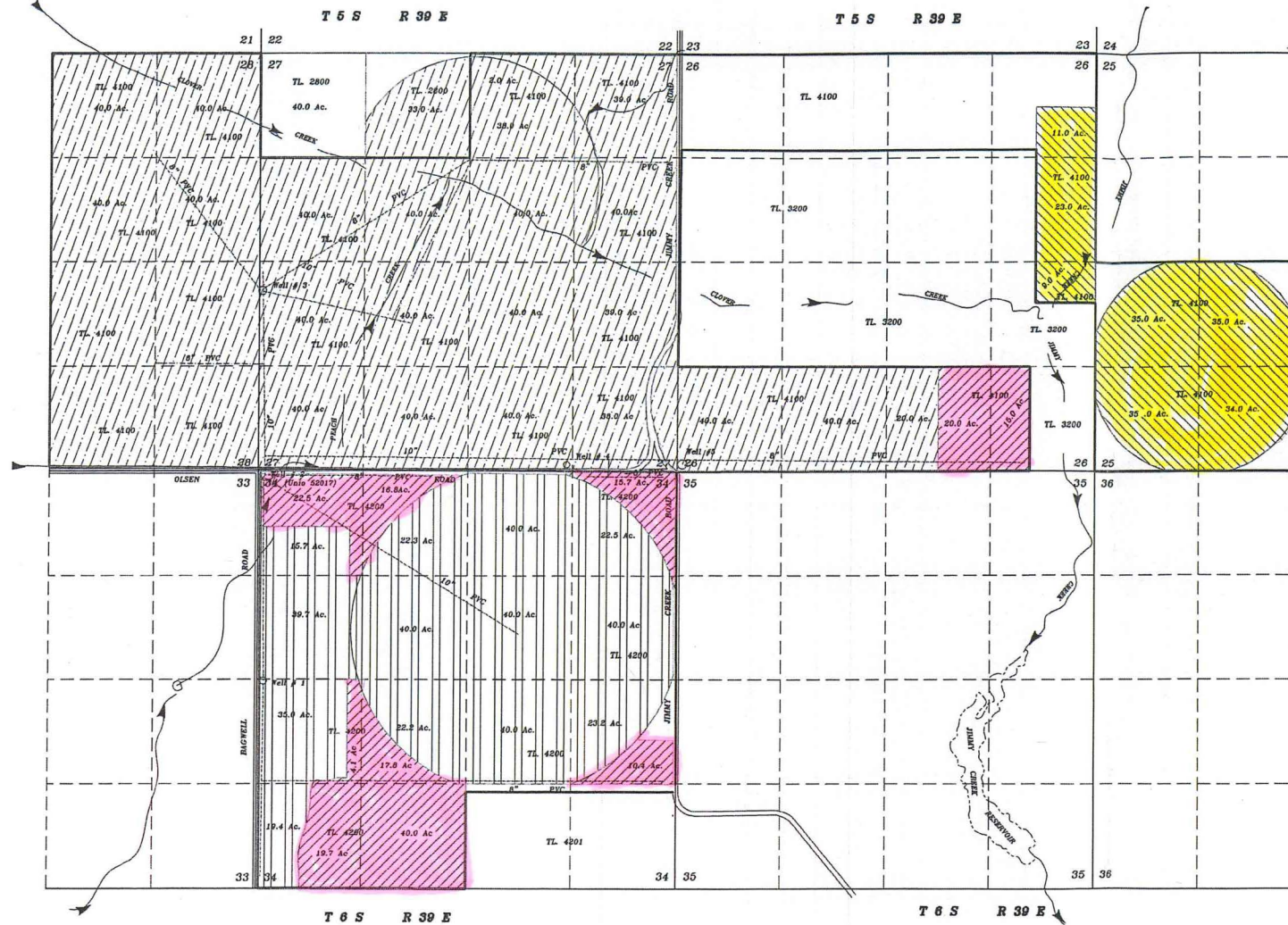
CWRE _____
CC's list _____

- Oversized map - Location _____

CURRENT PROPERTY OWNERSHIP

ALL IN TOWNSHIP 5 SOUTH RANGE 39 EAST WM.





- Tax Lot 4100 Heffernan Family Trust
- Tax Lot 2800 Ward Agricultural Properties
- Tax Lot 2700 Ward Agricultural Trust
- Tax Lot 3200 Osburn, Danna, Mattox, Harla
- Tax Lot 4200 Dudek, Gerald, Elmer, Cherrie
- Tax Lot 4201 Holcumb Family Trust
- Tax Lot 4201 Thomas, Michael & Cathleen.

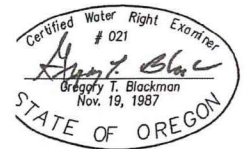


SCALE: 1"=1320'

POINT OF APPROPRIATION LOCATION DESCRIPTIONS

- Well # 1. Located 2640 feet South and 25 feet East from the NW corner of Section 34, Township 5 South, Range 39 East WM.
- Well # 2. (Unio 52017) Located 25 feet South and 25 feet East from the Northwest Corner of Section 34, Township 5 South, Range 39 East WM
- Well # 3. Located 2254 feet North and 60 feet East from the Southwest corner of Section 34, Township 5 South, Range 39 E, WM
- Well # 4 Proposed location is 25 feet North and 3300 feet East from the Southwest Corner of Section 27, Township 5 South, Range 39 East, WM
- Well # 5 Proposed location is 25 feet North and 25 feet East from the corner of Section 26, Township 5 South, Range 39 East, WM

-  From lands, under G-17645 irrigated from basalt well #3. 182.0 Ac.
-  Lands under G-17645 to remain in place irrigated from basalt well #3
-  To lands under G-17645 to be irrigated from basalt well #3. 182.0 Ac
-  Lands under G-17328 & G-17326 being irrigated from wells #1 & 2 to remain in place.



NOTE: The preparation of this map is for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

December 1, 2016
PERMIT AMENDMENT MAP REQUESTING CHANGE IN PLACE OF USE FOR LANDS UNDER PERMIT AMENDMENT NUMBERED G-17645

FOR
HEFFERNAN FAMILY TRUST

BY
 GREG BLACKMAN WATER RIGHTS
 126 RIDGE DRIVE
 LAGRANDE, OREGON 97850

RECEIVED BY OWRD

Application No. _____
 Permit Number _____

FEB 23 2017

SALEM, OR

T-12593

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section**

DATE: 12/13/2018

FROM: Arla Davis, Transfer Specialist
Phone: 503-986-0806

SUBJECT: **TRANSFER FILE - Request for Payment or Refund**

TRANSFER FILE #: T-12593

RECEIPT #: 122736

Please prepare payment in the amount of \$750.00, made payable to:

Name: Chris and Donna Heffernan Farm Account
Organization
Address: 63600 Viewpoint Lane
City: North Powder, OR 97867

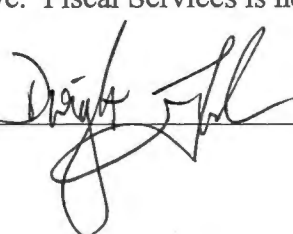
46110
0205

These funds are being paid or refunded as a result of (check one):

- Request for file to be Rejected/Withdrawn/Misfiled
- Excess fees were collected for application/PON
- Payment of PON
- Protest filing fee
- Other:

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: DEC 20 2018

Done ✓

STATE OF OREGON REMITTANCE ADVICE

TO SIGN UP FOR DIRECT DEPOSIT PAYMENT SERVICE AND RECEIVE CONVENIENT, ELECTRONIC PAYMENTS, LOG IN TO [HTTP://WWW.OREGON.GOV/DAS/EGS/FBS/SFMS/PAGES/ACH.ASPX](http://www.oregon.gov/das/EGS/FBS/SFMS/PAGES/ACH.ASPX) ON THE INTERNET. CLICK ON FORMS AND BROCHURES. THEN SELECT DIRECT DEPOSIT (ACH) AUTHORIZATION FORM.

WARRANT NO.
125288054

WATER RESOURCES DEPARTMENT

(503) 986-0924

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
	122018	REV REF RCPT#122736 T12593	690	VP048504	\$750.00

VENDOR NAME	ISSUE DATE	WARRANT AMOUNT
CHRIS & DONNA HEFFERMAN FARM ACCOUNT	12/21/18	\$750.00


FOLD ON PERFORATION LINE BELOW ↓ BEFORE DETACHING.

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE A TRUE WATERMARK OF CHAIN-LINKED SHAPES WHEN HELD TO THE LIGHT

STATE OF OREGON
503-986-0924
WATER RESOURCES DEPARTMENT
725 SUMMER ST NE SUITE A
SALEM OR 97301-1271

TO THE STATE TREASURER SALEM, OREGON
PAYABLE THROUGH US BANK

96-10
1232
CHECK DATE
12/21/18



WARRANT NO.
125288054

PAY THIS AMOUNT
\$750.00

SEVEN HUNDRED FIFTY AND 00/100 DOLLARS

PAY TO THE ORDER OF:

CHRIS & DONNA HEFFERMAN FARM ACCOUNT
63600 VIEWPOINT LN
NORTH POWDER OR 97867

VOID 2 YEARS AFTER DATE ISSUED

[Handwritten Signature]
VOID VOID
AUTHORIZED SIGNATURE



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.Oregon.gov/OWRD

December 20, 2018

HEFFERNAN FAMILY TRUST
CHRIS HEFFERNAN, PRESIDENT
63600 VIEWPOINT LANE
NORTH POWDER, OR 97867

Reference: Transfer Application T-12593

The above referenced transfer application was withdrawn from the record of the Water Resources Department on December 20, 2018, by Special Order Volume 112, Page 112 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal of this transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 986-0806 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

Stacy H. Phillips
Water Right Services Support
Transfers and Conservation Section

cc: Rick M. Lusk, Watermaster Dist. # 8 (via email)
Gregory T. Blackman, Agent
Union County

Enclosure



Permit Amendment Checklist

Transfer: T- 12593

Transfer Specialist: *AWL*

Transfer Type: Permit Amendment

Applicant Name/Address/email: HEFFERNAN FAMILY TRUST CHRIS HEFFERNAN, PRESIDENT 63600 VIEWPOINT LANE NORTH POWDER, OR 97867	Agent Name/Address/email: GREGORY T. BLACKMAN 126 RIDGE DRIVE LA GRANDE, OR 97850	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Union County Planning Department
Commentor(s): Name/Address:	Current Landowner Name/Address (if different than applicant):	

Permit(s) Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Superseding Permit No.
<input type="checkbox"/>	<input type="checkbox"/>	G-16902	G-17645	<u> </u>

Key Dates & Initial Actions

Rec'd: February 23, 2017	Proposed Action(s): PLACE OF USE	
Fees Pd: 1000.00	WM District: 7	ODFW District:
Initial Notice: March 7, 2017	WM Review sent: 2/28/17 Done:	ODFW Review sent: Done:
Acknowledgement Letter Sent: <input checked="" type="checkbox"/> Date:	GW Review sent:	Done:

Processing Dates & Actions

Deficiency Contact(s): _____

Newspaper: *N/A*
 not required
 Date quote requested: _____
 Request for news \$ sent: _____
 News \$ received: _____
 Request to publish sent to newspaper: _____
 Affidavit of publication received: _____
 Dates of publication: _____

Draft Mailed: _____

If yes, date rec'd okay from agent/applicant: _____
 ODFW contact sheet sent; need? Yes or No
 WM measurement sheet sent; need?
 Yes or No

Final Order

<p>Draft Order & Superseding Permit Review (Optional)</p> <p>Reviewer: _____ Date: _____ Coordinator: _____ Date: _____</p>	<p>Final Order & Superseding Permit Review (Salem)</p> <p>Reviewer: _____ Date: _____ Coordinator: <i>PKS</i> Date: <i>12-14-18</i></p>
<p>Comments/Special Issues: <i>A POU, Not Contingent - withdrawn</i></p>	

Special Order Volume: Vol: *112* Pages *112* Final Order Signature Date: *12-20-18*
 Notice of FO e-mailed to processors: *12-21-18*

DAVIS Arla L * WRD

From: Greg Blackman <greg@bgbsurveyors.com>
Sent: Friday, December 07, 2018 11:10 AM
To: DAVIS Arla L * WRD
Subject: RE: Permit Amendment T-12593 for Heffernan Family Trust

Good morning Arla, with reference to the permit amendment T-12593 for Heffernan, We intend to withdraw the application. I have a meeting with Justin and Sheldon Heffernan on Monday concerning the application and they have told me that they intend to withdraw the application. Sheldon was under the impression that they could transfer the lands to lands that they have leased, (the land belonging to Holcumb Family Trust, however the law indicates that all has to be contiguous and makes no exception for leased ground. The Heffernan's will look for the partial refund. Thank you. Greg Blackman, CWRE and agent for Heffernan family trust for this application.

From: DAVIS Arla L * WRD [<mailto:Arla.L.Davis@oregon.gov>]
Sent: Friday, November 09, 2018 11:17 AM
To: Greg Blackman; northslope@wildblue.net; gtblackman@yahoo.com
Cc: JARAMILLO Lisa J * WRD; STARNES Patrick K * WRD
Subject: Permit Amendment T-12593 for Heffernan Family Trust

Greetings,

I am the caseworker who has been assigned to Permit Amendment T-12593 for Heffernan Family Trust. During my review of the application, I have found that the application map and place of use table (table 2) of the application indicate that the acres to be moved are not contiguous, meaning that the "From" and "To" or "Off" and "On" acres are not touching.

According to ORS 537.211 (4)(b):

(4) The holder of a water right permit may change the point of diversion, change the point of appropriation, change the point of diversion to allow the appropriation of ground water or use the water on land to which the right is not appurtenant if:

(b) For a proposed change in the place of use of the water, the land on which the water is to be used is owned or controlled by the holder of the permit and is contiguous to the land to which the permit is appurtenant;

The only exceptions to the lands being contiguous are:

ORS 537.211 (5)

(5) Notwithstanding the requirements of subsection (4)(b) of this section, the holder of a water right permit may change the place of use of all or any portion of water under the permit to land that is not contiguous to the land to which the permit is appurtenant if:

(a) The change to noncontiguous land is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened or endangered under ORS 496.171 to 496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency; and

(b) All other requirements of subsection (4) of this section are met.

The application may be withdrawn by December 9, 2018, for a partial refund. If I do not receive a withdrawal request by this date, the application will be denied. Please let me know if you have any questions.

Thank you!

Arla L. Davis
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Direct: 503-986-0806

arla.l.davis@oregon.gov

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, November 09, 2018 11:16 AM
To: 'Greg Blackman'; northslope@wildblue.net; 'gtblackman@yahoo.com'
Cc: JARAMILLO Lisa J * WRD; STARNES Patrick K * WRD
Subject: Permit Amendment T-12593 for Heffernan Family Trust

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Thank you!

Arla L. Davis
Water Rights Transfer Specialist
Transfer and Conservation Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Direct: 503-986-0806

arla.l.davis@oregon.gov

STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HEFFERNAN FAMILY TRUST
63600 VIEWPOINT LANE
NORTH POWDER, OR 97867

This superseding permit is issued to describe an amendment for a change in place of use proposed under Permit Amendment Application T-12295 and approved by Special Order Vol. 101, Page 789, entered SEP 12 2016, and to describe an extension of time for complete application of water approved March 28, 2014. This permit supersedes Permit G-17327.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-16902

SOURCE OF WATER: WELL 1, WELL 2, WELL 3, WELL 4, AND WELL 5 IN CLOVER CREEK BASIN

PURPOSE OR USE: IRRIGATION USE ON 1191.0 ACRES

MAXIMUM RATE: 14.9 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 2, 2007

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	39 E	WM	34	SW NW	WELL 1: 2640 FEET SOUTH AND 25 FEET EAST FROM THE NW CORNER OF SECTION 34
5 S	39 E	WM	34	NW NW	WELL 2: 25 FEET SOUTH AND 25 FEET EAST FROM THE NW CORNER OF SECTION 34
5 S	39 E	WM	27	NW SW	WELL 3: 2254 FEET NORTH AND 60 FEET EAST FROM THE SW CORNER OF SECTION 27
5 S	39 E	WM	27	SW SE	WELL 4: 25 FEET NORTH AND 3300 FEET EAST FROM THE SW CORNER OF SECTION 27
5 S	39 E	WM	26	SW SW	WELL 5: 25 FEET NORTH AND 25 FEET EAST FROM THE SW CORNER OF SECTION 26

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	39 E	WM	25	NE SW	35.0
5 S	39 E	WM	25	NW SW	35.0
5 S	39 E	WM	25	SW SW	35.0
5 S	39 E	WM	25	SE SW	34.0
5 S	39 E	WM	26	NE NE	11.0
5 S	39 E	WM	26	SE NE	23.0
5 S	39 E	WM	26	SW SW	40.0
5 S	39 E	WM	26	SE SW	40.0
5 S	39 E	WM	26	NE SE	9.0
5 S	39 E	WM	26	SW SE	20.0
5 S	39 E	WM	27	NE NE	39.0
5 S	39 E	WM	27	NW NE	40.0
5 S	39 E	WM	27	SW NE	40.0
5 S	39 E	WM	27	SE NE	40.0
5 S	39 E	WM	27	NE NW	33.0
5 S	39 E	WM	27	SW NW	40.0
5 S	39 E	WM	27	SE NW	40.0
5 S	39 E	WM	27	NE SW	40.0
5 S	39 E	WM	27	NW SW	40.0
5 S	39 E	WM	27	SW SW	40.0
5 S	39 E	WM	27	SE SW	40.0
5 S	39 E	WM	27	NE SE	39.0
5 S	39 E	WM	27	NW SE	40.0
5 S	39 E	WM	27	SW SE	40.0
5 S	39 E	WM	27	SE SE	38.0
5 S	39 E	WM	28	NE NE	40.0
5 S	39 E	WM	28	NW NE	40.0
5 S	39 E	WM	28	SW NE	40.0
5 S	39 E	WM	28	SE NE	40.0
5 S	39 E	WM	28	NE SE	40.0
5 S	39 E	WM	28	NW SE	40.0
5 S	39 E	WM	28	SW SE	40.0
5 S	39 E	WM	28	SE SE	40.0

Permit Amendment T-12295 Conditions

The former place of use shall no longer be irrigated as part of this permit.

Extension of Time Conditions**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2018**.

- a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Existing Permit Conditions:**Measurement, recording and reporting conditions:**

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The wells shall produce ground water only from the basalt or other bedrock ground water reservoir.

The wells shall be fitted with dedicated measuring tubes to allow unobstructed access for water-level measurements.

The wells shall be cased and sealed in such a manner to develop a single basalt or other bedrock aquifer.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the permittee's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well(s) shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.


This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2023. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued SEP 12 2016, 2016



Dwight French, Water Rights Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-12593

Review Due Date: 3-30-2017

Applicant Name: HEFFERNAN FAMILY TRUST

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Rick Lusk

Date of Review: Mar. 1, 2017

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No
 Generally characterize the frequency of any regulation or explain why regulation has not occurred: Watermaster District 8 is not currently distributing groundwater in this area.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.
4. In your estimation, after the proposed change would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?
 Yes No If "Yes", explain: _____
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
6. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:
 _____. N/A
7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____. N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream: N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No
9. For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain: _____

10. For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: _____

11. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"? Yes No If "Yes", explain: _____

12. What alternatives may be available for addressing any issues identified above: N/A

13. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked below:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of page 3)

a. ~~Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) or at each new point of diversion/appropriation.~~*

b. ~~The water user shall maintain the meters or measuring devices in good working order.~~

c. ~~The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.~~

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of page 3)

a. ~~Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.~~*

b. ~~Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.~~

*** The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:**

Weir

Parshall Flume

Other: _____

Submerged Orifice

Flow Restrictor



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Permit Amendment

Part 1 of 5 – Minimum Requirements Checklist

This permit amendment application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Permits to be Amended: **Number of permits to be amended: 1**
List them here: G-17645
 Please include a separate Part 5 for each permit. (See instructions on page 6)
- Completed Permit Amendment Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- N/A Request for Assignment Form and statutory fee. The request for assignment form has to be completed if the applicant is **not** the permit holder of record and needs to be assigned to the permit; **or** the landowner of the proposed place of use is **not** the permit holder of record and needs to be assigned to the permit (the Request for Assignment Form is available online at http://www.oregon.gov/owrd/pubs/docs/forms/req_assign_8_21_09.pdf). Assignment is not needed if the applicant is the permit holder of record.
- N/A Affidavit(s) of Consent are required from all permit holder(s) of record if the permit is not assigned to the applicant, **or** other permit holders of record that are not listed as applicants.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Land use form is not required if any of the following apply:
 - Water is to be diverted, conveyed, and/or used only on federal lands.
 - All of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
 - The proposed changes are all located on the property reviewed in Land Use form enclosed in Water Right Application Folder # _____.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

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(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Assignment Form and fee not enclosed/insufficient
___ Additional signature(s) required	Part ___ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____ Date: ___/___/___

Part 2 of 5 – Permit Amendment Map Checklist

Your permit amendment application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- N/A If **more than three** permits are involved, separate maps for each permit.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water use permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the permit is being changed, a separate hachuring is needed for the portion of the permit left unchanged.
- N/A If you are proposing a change in place of use, show the proposed place of use with hachuring that includes separate hachuring for each permit, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water use permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME HEFFERNAN FAMILY TRUST (CHRIS HEFFERNAN PRESIDENT)			PHONE NO. 541-786-2257	ADDITIONAL CONTACT NO.
ADDRESS 63600 VIEWPOINT LANE				FAX NO.
CITY NORTH POWDER	STATE OREGON	ZIP 97867	E-MAIL <i>northslope@wildblue.net</i>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME GREGORY T. BLACKMAN			PHONE NO. 541-963-6771	ADDITIONAL CONTACT NO. 541-786-2859 CELL
ADDRESS 126 RIDGE DRIVE				FAX NO.
CITY LA GRANDE	STATE OREGON	ZIP 97850	E-MAIL <i>gtblackman@yahoo.com</i>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this permit amendment; and why:
 We plan to sell the lands in the SW 1/4 of Section 25, as well as the lands situated in the NE,NE, the SE,NE and the NE, SE of section26 and want to place the proposed rights on lands that we are currently farming and irrigating. We don't intend to convey the lands with a pending ground water application. This will also confine our operations to a smaller and more manageable area.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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Is the applicant the permit holder of record? Yes No

SALEM, OR

If NO, include either:

- A completed assignment form (with required statutory assignment fee), assigning all or a portion of the permit to the applicant(s), **OR**
- An affidavit of consent from the permit holder(s) of record that gives permission for the applicant to amend the permit.

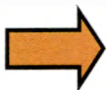
I understand that prior to Department approval of the permit amendment, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the permit is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Observer

I (we) affirm that the information contained in this application is true and accurate.

Heffernan Family Trust by Chris Heffernan TTE
 Applicant Signature

Chris Heffernan, Pres.
 Print Name (and Title if applicable)

1-4-17
 Date



Applicant Signature

Print Name (and Title if applicable)

Date

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Check one of the following:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The permit holder(s) of record will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to the permit holder(s) of record.


Check the appropriate box, if applicable:

- Check here if any of the permits proposed for amendment are or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the permits supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Union County	ADDRESS 1108 K Avenue	
CITY La Grande	STATE Oregon	ZIP 97850

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Use Permit Information

Please use a separate Part 5 for each permit being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

PERMIT # G-17645

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified in the permit, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized by the permit or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well # 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	L-96339	5 S	39 E	27	NW SW		N 2254' & E 60' from SW cor. Section 34 T5S R39E WM
Well # 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	5 S	39 E	27	SW SE		Proposed location 25' N & 3300' E from SW Cor. Sect. 27, T5S R39E, WM
well # 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NOT DRILLED	5 S	39 E	26	SW SW		Proposed location 25' N & 25'E from SW cor Sec. 26, T5S R39E, WM
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Surface water POD to Ground Water POA (SW/GW) |

Will all of the proposed changes affect the entire water use permit?

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the permit to be changed.

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For a change in place of use:

Does the permit holder of record own or control the land TO which the place of use is being moved?

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- Yes No

If NO, the landowner of the land TO which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

Is the proposed place of use contiguous to the authorized place of use? Yes No

The permitted place of use can be moved only to lands that are contiguous to the authorized place of use **unless** the change to non-contiguous lands is in furtherance of mitigation or conservation efforts undertaken for the purposes of benefiting a species listed as sensitive, threatened, or endangered under ORS 496.171 to

496.192 or the federal Endangered Species Act of 1973 (16 U.S.C. 1531 to 1544), as determined by the listing agency. Contiguous land being either adjacent land or land separated from the land to which a permit is authorized by roads, utility corridors, irrigation ditches or publicly owned rights of way.

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SALEM, OR

T 12593

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Use Permit # _____

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre(s) (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre(s) (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5	
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	2	S	9	E	15	SW	NW	200		5.0	POD #6	
											POU	5	S	39	E	34	SE	SW	4200		40.0	WELL 3	7/2/07
TOTAL ACRES											TOTAL ACRES										182		

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Additional remarks: _____.

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1-12593

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Use Permit # G-17645

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POU/POD	2	S	9	E	15	NW	NW	100	1	10.0	POD #5		
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	2	S	9	E	15	SW	NW	200		5.0	POD #6		
5	S	39	E	25	NE	SW	4100		35.0	well 3	7/2, 2007	POU	5	S	39	E	26	SE	SE	4100		15.0	WELL 3	7/2/2007
5	S	39	E	25	NW	SW	4100		35.0	WELL 3	7/2/2007	POU	5	S	39	E	26	SW	SE	4100		20.0	WELL 3	7/2/2007
5	S	39	E	25	SW	SW	4100		35.0	WELL 3	7/2/07	POU	5	S	39	E	34	NE	NE	4200		15.7	WELL 3	7/2/07
5	S	39	E	25	SE	SW	4100		34.0	WELL 3	7/02/07	POU	5	S	39	E	34	NE	SE	4200		10.4	WELL 3	7/02/07
5	S	39	E	26	NE	NE	4100		11.0	WELL 3	7/2/07	POU	5	S	39	E	34	NW	NW	4200		22.5	WELL 3	7/2/07
5	S	39	E	26	SE	NE	4100		23.0	WELL 3	7/2/07	POU	5	S	39	E	34	NE	NW	4200		16.8	WELL 3	7/2/07
5	S	39	E	26	NE	SE	4100		9.0	WELL 3	7/2/07	POU	5	S	39	E	34	NW	SW	4200		4.1	WELL 3	7/2/07
												POU	5	S	39	E	34	NE	SW	4200		17.8	WELL 3	7/2/07
													5	S	39	E	34	SW	SW	4200		19.7	WELL 3	7/2/07
TOTAL ACRES											TOTAL ACRES										NXT SHT			

12593

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Additional remarks: _____.

I 12593


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Are there other water rights certificates, water use permits or ground water registrations associated with the "from" or "to" lands? Yes No

If YES, list the other certificate, permit, or ground water registration numbers: _____

 If the permit(s) are for irrigation or supplemental irrigation use, other water rights existing on the same land for irrigation that are subject to transfer must either change concurrently or be cancelled. Any change to a water right certificate or ground water registration must be filed separately in a water right transfer application or ground water registration modification application, respectively.

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
well #3	yes	L-96339	731'	16"	3-230'	230'	unknown	artesian	basalt	6000 gpm
well #4	No									
well #5	No									

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SALEM, OR

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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SALEM, OR

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): HEFFERNAN FAMILY TRUST

Mailing Address: 63600 Viewpoint Lane

City: North Powder

State: Oregon Zip Code: 97867

Daytime Phone: 541-786-2257 cell

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>5S</u>	<u>39 E</u>	<u>25</u>	<u>SW 1/4</u>	<u>4100</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>5S</u>	<u>39 E</u>	<u>26</u>	<u>NE, NE</u> <u>SE, NE</u> <u>NE, SE</u> <u>SW, SW</u> <u>SE, SW</u> <u>SW, SE</u> <u>SE, SE</u>	<u>4100</u>	<u>EFU</u> <u>A-1</u> <u>Exclusive</u> <u>Farm</u> <u>Use</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>5S</u>	<u>39 E</u>	<u>27</u>	<u>ALL</u>	<u>4100</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>5S</u>	<u>39 E</u>	<u>28</u>	<u>W 1/2</u>	<u>4100</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>5S</u>	<u>39 E</u>	<u>34</u>	<u>ALL</u>	<u>4200</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

UNION COUNTY

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B. Description of Proposed Use

SALEM, OR

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 14.9 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Owner is transferring place of use location of lands in Sect. 25 and 26 to Section 34. Portions of section 25 and 26 may be traded or adjujsted with others.



Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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SALEM, OR

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Ministerial UCZPSD		<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
Section 24.01	RECEIVED BY OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	FEB 23 2017	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SALEM, OR	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Scott Hartell Title: Planning Director
 Signature: Scott Hartell Phone: 541 963-1014 Date: 1-3-17
 Government Entity: Union County Planning Dept.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 96339 START CARD # 1016183

(1) LAND OWNER Owner Well I.D. Rock I First Name Last Name Company Heffernan Family Trust Address 706 B Ave City LaGrande State or Zip 97850

(2) TYPE OF WORK [] New Well [X] Deepening [] Conversion [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD [] Rotary Air [] Rotary Mud [] Cable [] Auger [] Cable Mud [X] Reverse Rotary [] Other

(4) PROPOSED USE [] Domestic [X] Irrigation [] Community [] Industrial/ Commercial [] Livestock [] Dewatering [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION Special Standard [] (Attach copy) Depth of Completed Well 757 ft.

Table with columns: Dia, From, To, Material, SEAL From, To, Amt, sacks/lbs. Rows include Cement, Bentonite Chips.

How was seal placed: Method [] A [X] B [] C [] D [] E [X] Other bent chips Backfill placed from ft. to ft. Material Filter pack from ft. to ft. Material Size Explosives used: [] Yes Type Amount

(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd. Includes diagram of casing and liner options.

(7) PERFORATIONS/SCREENS Perforations - Method Screens Type Material

Table with columns: From, To, Scrm/slot width, Slot length, # of slots, Tele/pipe size. Includes date stamp JUN 06 2012.

(8) WELL TESTS: Minimum testing time is 1 hour [X] Pump [] Bailer [] Air [] Flowing Artesian. Table with Yield gal/min, Drawdown, Drill stem/Pump depth, Duration (hr).

Table for Water quality concerns with columns: From, To, Description, Amount, Units.

(9) LOCATION OF WELL (legal description) County UNION Twp 5 S N/S Range 39 E E/W WM Sec 27 NW 1/4 of the SW 1/4 Tax Lot 3200 Tax Map Number Lot Lat Long DMS or DD Street address of well (6) Nearest address 63600 View Point Lane North Powder OR. 97867

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft) Existing Well / Predeepening 04-11-2012 1 2.3 Completed Well 04-20-2012 1 2.3

WATER BEARING ZONES Depth water was first found 235'. Table with columns: SWL Date, From, To, Est Flow, SWL (psi), + SWL (ft).

(11) WELL LOG Ground Elevation. Table with columns: Material, From, To. Lists various geological layers like black & red vic. rock med-soft, grey & black basalt hard, etc.

Date Started 04-11-2012 Completed 04-20-2012

(unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. License Number Date Signed

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment of this well during the construction dates reported above. License Number 1934 Date 04-27-2012 Signed

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RECEIVED MAY 18 2012

WATER RESOURCES DEPT SALEM OREGON

WATER SUPPLY WELL REPORT - continuation page

WELL I.D. # L 94339

START CARD # 1016103

(5) BORE HOLE CONSTRUCTION

BORE HOLE			SEAL			sacks/ lbs
Dia	From	To	Material	From	To	

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Pstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/S creen	Casing/ Liner	Screen Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

Water Bearing Zones

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)

(11) WELL LOG

Material	From	To
grey & black very hard basalt fractured	476	479
red & black med. basalt porous	479	507
grey very hard basalt & little blue claystone	507	526
grey hard basalt & grey clay	526	537
black & red vis. med basalt & blue claystone	537	540
grey hard fractured basalt & grey blue claystone	540	549
black & grey fractured basalt & blue clay	549	555
brown porous basalt & light green claystone	555	556
grey very hard basalt	556	560
black & grey vis. soft basalt & little green claystone	560	565
blue green sticky clay soft	565	570
black vis. basalt & greenish blue claystone	570	573
black brown weathered broken rock soft	573	578
black grey weathered broken & blueish claystone	578	583
grey basalt hard & blue green claystone	583	599
brown vis. soft basalt & yellow claystone	599	602
red vis. soft basalt white seams & yellow claystone	602	605
black brown grey fractured vis. soft basalt	605	609
red vis. soft basalt	609	614
red and black fractured basalt & blue claystone	614	627
grey black brown fractured basalt	627	665
black grey vis. soft basalt	665	673
grey clay going to greenish grey clay soft	673	675
black soft scoria	675	679
rotton black rock & tan clay	679	681
tan & brown claystone going into sand stone	681	691
black broken vis. basalt & blue claystone	691	718
black soft scoria	718	722
brown sticky clay	722	731

Comments/Remarks

course brown sand	731-734
black scoria broken soft black basalt	734-736
sandy blue clay & few black rocks	736-746
sticky grey clay	746-748
blue claystone & blue sticky clay	748-753
blue clay caving & weathered brown grey hard rock	753-764

RECEIVED

JUN 06 2012

RECEIVED

MAY 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPT
SALEM, OREGON

2/21/17 ZP
 9:34 POTENTIAL LIABILITY REAL PROPERTY INQUIRY A10100
 REF # 2017 R 9858 Last Viewd 1447
 MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx REAL# PR
 05S39 4100 804 550 500 6 UC-A1
 OWNER HEFFERNAN FAMILY TRUST ET ALS
 CNTRCT _____ Pg 1 _____
 ADDR _____
 63600 VIEWPOINT LN
 CTY/ST NORTH POWDER OR 97867-8126
 SC DEF _____ SITUS: _____
 SITUS: _____
 L/LE/X/EM: _____ ACTION CDS MAPCODE 0804
 YR AP 2015 APPR BD BART DICKISON SPECIALLY ASSESSED
 ACRES 1347.54 SPC ASM

	RMV	M5 VALUE	TOTAL MAV	
LAND	2,066,800	1,687,040	521,860	NOTES
IMPROV	0	0	TOTAL AV	IRRIGATION UPDATED 2013
SUBTOT	2,066,800	1,687,040		
LESS EXEMPTIONS:		0		
LESS VET EXEMPT:				
NET VALUES:		1,687,040		

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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SALEM, OR

T 12593

2/21/17

UNION COUNTY

T10200

POTENTIAL LIABILITY TAX HISTORY
REF# 9858 REAL MAP/LOT 05S39 4100 CODE 804

OWNER HEFFERNAN FAMILY TRUST

C/O

FEEES DUE .00

ADDR 63600 VIEWPOINT LN

TOTAL DUE 1679.55

1 CTY/ST NORTH POWDER OR 97867-8126 INTEREST DATE (CMD-22 TO CHANGE) 022117

SITUS CITY ADDRESS

YR	M	JV	ASD VAL	TAX AMT -	TAX PD =	TAX DUE +	INT/-DISC =	BAL DUE
16			506668	5038.65	3359.10	1679.55		1679.55
15			491916	4832.94	4832.94			
14			616778	6059.66	6059.66			
13			598821	5883.23	5883.23			
12			233434	2293.42	2293.42			
11			226643	2226.69	2226.69			
10			220049	2179.50	2179.50			
09			213652	2116.84	2116.84			
08			207441	2055.97	2055.97			
07			42750	422.21	422.21			
06			39110	361.21	361.21			
05			29370	271.31	271.31			
TOTALS				37864.42	36184.87	1679.55		1679.55

1-HLP 2-FE 3-PHS 4-JV 5-DET 7-EOJ 8-CLR 9-PRV 10-NXT 13-1/3 14-LEN 16-COM 23-A/I

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SALEM, OR

T 12593

37.00

After recording return to:

Return To: Elkhorn Title Company
1725 Main Street
Baker City, OR 97814

Until a change is requested,
send tax statements to:

Christopher M. & Donna L. Heffernan,
Trees, 63600 Viewpoint Lane
North Powder OR 97867

WARRANTY DEED

DANNA OSBURN, HARLA MATTOX, GERALD DUDEK and CHERIE ELMER,**
Grantors convey and warrant to CHRISTOPHER M. HEFFERNAN and DONNA L.
HEFFERNAN, Trustees of the Heffernan Family Trust u/a/d 7/10/96, Grantees, the
following described real property, free of encumbrances except as specifically set forth
herein:

**who acquired title as Cherrie Elmer

Parcel 2 of Minor Partition Plat No. 2007-036, filed October 8, 2007, in
Plat Cabinet C, slides 940 and 941, Plat Records of Union County, Oregon
situate in Sections 25, 26, 27, 28 and 34 of Twp. 5 South, Range 39 E., W.M.
in the County of Union, State of Oregon.

Ref. No.

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto
belonging to or otherwise appertaining.

FURTHER TOGETHER WITH four (4) easements, three of which have
their centerline pictorially described on Exhibit "1" attached hereto and
by this reference made a part hereof. The fourth easement shall be
across the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 26, Twp. 5 S., R. 39 E., W.M. It shall
be subsequently defined by the grantee at a site of grantee's choosing
and a more definite document shall be recorded to replace the original
easement contemplated hereby. Each of said easements shall be 60'
in width and shall be used for vehicular and equipment ingress and egress
and for the placement of above ground or underground utilities, including
but not limited to electrical services. Grantees shall have the right, but not
the obligation, to construct, maintain, reconstruct, use and improve the
easements. Grantors shall have the right to concurrently use the easements
for travel on their property described as Parcel 1 of Minor Partition Plat
2007-036.

SUBJECT TO the following:

1. Rights of the Public and governmental bodies in and to any portion of
the premises now or at any time lying below the high water mark of Jimmy
Creek or Clover Creek, including any ownership rights which may be
claimed by the State of Oregon, below the high water mark as it now
exists or at any time has existed.
2. Rights of the public in and to any portion of the herein described
premises lying within the boundaries of Bagwell Road, Jimmy Creek Road
or Olsen Lane, as disclosed and shown on Union County tax assessment
maps.
3. Easement recorded in Book 89, Page 238. (Affects the east half of
section 27)
4. Easement dated December 17, 1954 recorded in Book 134, Pages
113, 115 and 116. (Affects a strip 8 feet in width across portions of
Sections 26 and 27)
5. Easement dated June 14, 1955, recorded in Book 135, Page 368.
(Affects a part of sections 25 and 26)

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FEB 23 2017

SALEM, OR

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is, when combined with the consideration for the purchase of Tax Lot 4200 in Section 34 of T. 5 S., R. 39 E., W.M. is the sum of \$1,200,000.00.

DATED this 30 day of October, 2007.

Danna Osburn
Danna Osburn

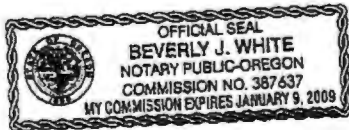
Harla Mattox
Harla Mattox

Gerald Dudek
Gerald Dudek

Cherie Eimer
Cherie Eimer

STATE OF OREGON)
County of Baker : ss.

This instrument was acknowledged before me on Oct 30, 2007, by DANNA OSBURN, HARLA MATTOX, GERALD DUDEK, and CHERIE ELMER.

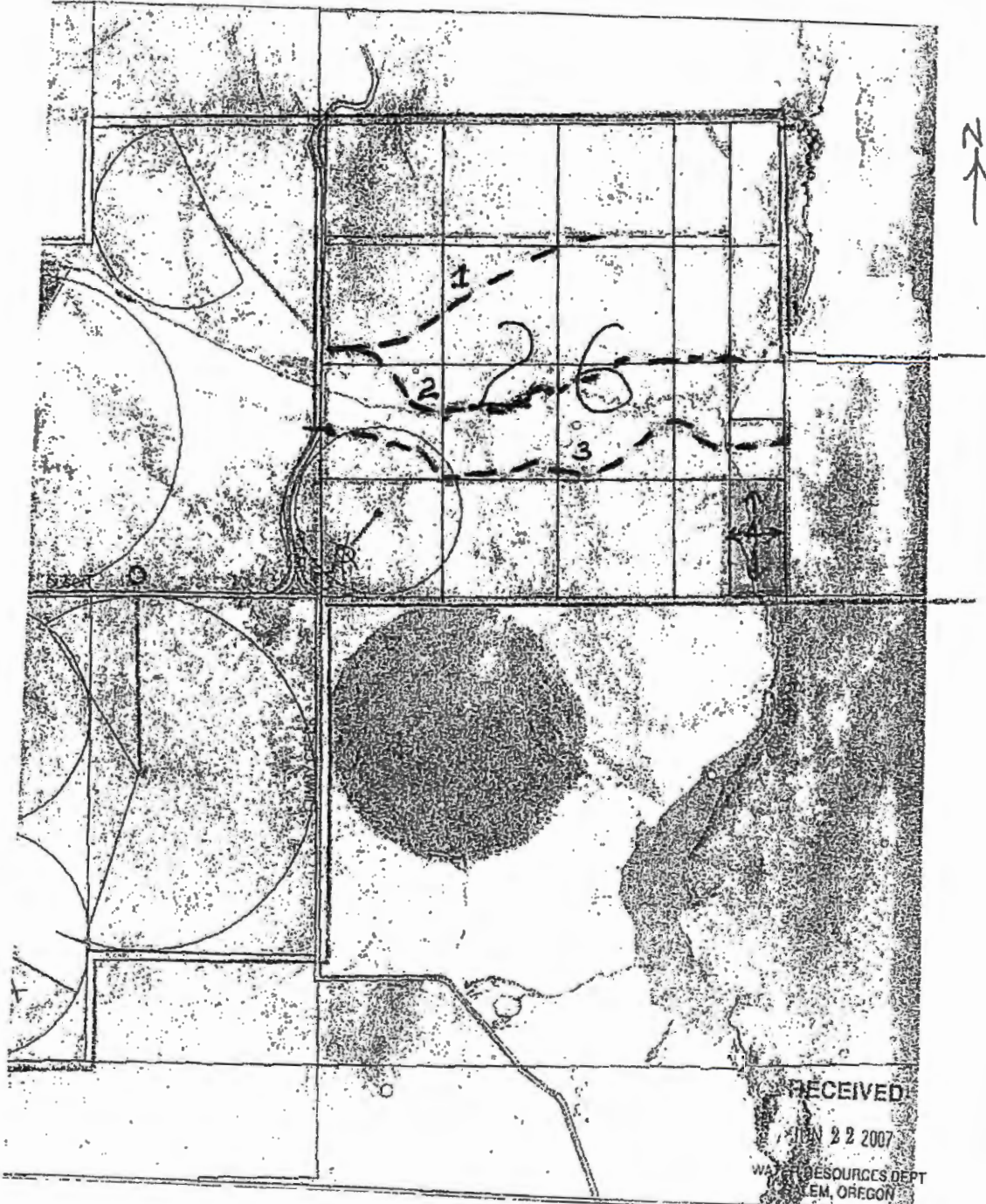


B. J. White
Notary Public for Oregon
My Commission expires: _____

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SALEM, OR



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 FEB 22 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

EX 1, Page 1 of 1

STATE OF OREGON
 County of Union SS
 I certify that this instrument was received and recorded in the book of records of said county.

Union County Clerk
 by: *Paula Hopkins* Deputy
 DOC#: 20076342
 RCPT: 130130 37.00
 11/09/2007 11:00 AM
 REFUND: .00

SALEM, OR

FEB 23 2017

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2/21/17
 9:35 POTENTIAL LIABILITY REAL PROPERTY INQUIRY ZP A10100
 REF # 2017 R 9859 Last Viewd 9858
 MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx REAL# PR
 05S39 4200 804 550 500 6 UC-A1
 OWNER HOLCOMB FAMILY TRUST ET ALS
 CNTRCT Pg 1 HOLCOMB, RICHARD TRSTE ATTN
 ADDR ATTN RICHARD HOLCOMB TRUSTEE
 31065 W BONITA KLONDYKE RD
 CTY/ST WILLCOX AZ 85643
 SC DEF SITUS:
 SITUS:
 L/LE/X/EM:
 YR AP 2015 APPR BD BART DICKISON ACTION CDS MAPCODE 0804
 ACRES 555.26 SPC ASM SPECIALLY ASSESSED
 RMV M5 VALUE TOTAL MAV
 LAND 1,050,380 941,350 291,819
 IMPROV 0 0 TOTAL AV NOTES
 SUBTOT 1,050,380 941,350 IRRIGATION UPDATED 2013
 LESS EXEMPTIONS: 0
 LESS VET EXEMPT:
 NET VALUES: 941,350

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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FEB 23 2017

SALEM, OR

T 12593

2/21/17 UNION COUNTY T10200
 POTENTIAL LIABILITY TAX HISTORY
 REF# 9859 REAL MAP/LOT 05S39 4200 CODE 804
 OWNER HOLCOMB FAMILY TRUST
 C/O FEES DUE .00
 ADDR ATTN RICHARD HOLCOMB TRUSTEE TOTAL DUE .00
 1 CTY/ST WILLCOX AZ 85643 INTEREST DATE(CMD-22 TO CHANGE) 022117
 SITUS CITY ADDRESS
 YR M JV ASD VAL TAX AMT - TAX PD = TAX DUE + INT/-DISC = BAL DUE
 16 283324 2817.57 2817.57
 15 275072 2702.49 2702.49
 14 127881 1256.38 1256.38
 13 124157 1219.81 1219.81
 12 45070 442.80 442.80
 11 43757 429.90 429.90
 10 42485 420.81 420.81
 09 41249 408.71 408.71
 08 40050 396.94 396.94
 07 38884 384.05 384.05
 06 35580 328.62 328.62
 05 26710 246.74 246.74
 TOTALS 14887.04 14887.04

1-HLP 2-FE 3-PHS 4-JV 5-DET 7-EOJ 8-CLR 9-PRV 10-NXT 13-1/3 14-LEN 16-COM 23-A/I

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 FEB 23 2017
 SALEM, OR

14-25100:je
Tax Statements to:
Richard B. Holcomb, Trustee
31065 W. Bonita Klondyke Road
Willcox, AZ 85643
AZ 85643

Grantee(s) address:
Richard B. Holcomb, Trustee
31065 W. Bonita Klondyke Road
Willcox, AZ 85643AZ 85643

20142255

After Recording Return to:
Elkhorn Title Company
1725 Main Street
Baker City OR 97814

Grantor(s) address:
Christopher M. Heffernan, Trustee and
Donna L. Heffernan, Trustee
63600 Viewpoint Lane
North Powder, OR 97867

WARRANTY DEED

Christopher M. Heffernan and Donna L. Heffernan, Trustees of the Heffernan Family Trust U/A/D July 10, 1996 herein after called Grantor, convey(s) to Richard B. Holcomb, Trustee of the Holcomb Family Trust Dated January 30, 2001 herein after called Grantee, the following described real property situated in the County of Union, State of Oregon, described as:

See EXHIBIT "A" attached hereto

and covenants that grantor is the owner of the above-described property free of all encumbrances except covenant(s) conditions, restrictions, reservations, assessments, easements, rights of way of record or visible thereon; shortages in acreages, boundary disputes, encroachments or any other matters which a true and accurate survey would reveal; and will warrant and defend the same against all persons who may lawfully claim the same, except as shown of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true consideration for this conveyance is \$1,750,000.00.

Dated this 14 day of August, 2014.

Christopher M. Heffernan, Trustee Donna L. Heffernan, Trustee
Christopher M. Heffernan, Trustee Donna L. Heffernan, Trustee

STATE OF OREGON)
COUNTY OF Baker) SS:

On this 14 day of August, 2014, personally appeared the above-named Christopher M. Heffernan, Trustee and Donna L. Heffernan, Trustee and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: Lynne D. Ewing
My appointment expires: 12/26/16

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FEB 23 2017

SALEM, OR

1 12593

EXHIBIT "A"

In Township 5 South, Range 39 East of the Willamette Meridian, Union County, Oregon.
Section 34: The East Half EXCEPT the South 75 acres thereof, and all of the West Half.

(A portion of 05S39-4100; Ref. #9858)
(05S39-4200; Ref. #9859)

STATE OF OREGON }
County of Union } SS

I Certify that this instrument was received and recorded in the book of records of said county.

ROBIN A. CHURCH
Union County Clerk



by: Melba Tueda Deputy

DOC# 20142255
RCPT: 167782 \$55.00
08/15/2014 02:44 PM
REFUND: .00

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FEB 23 2017

SALEM, OR

EOT

EASTERN OREGON TITLE, INC.

1601 Adams Avenue, P.O. Box 1084
La Grande, OR 97850

Phone: (541) 963-8561 Fax: (541) 963-2391

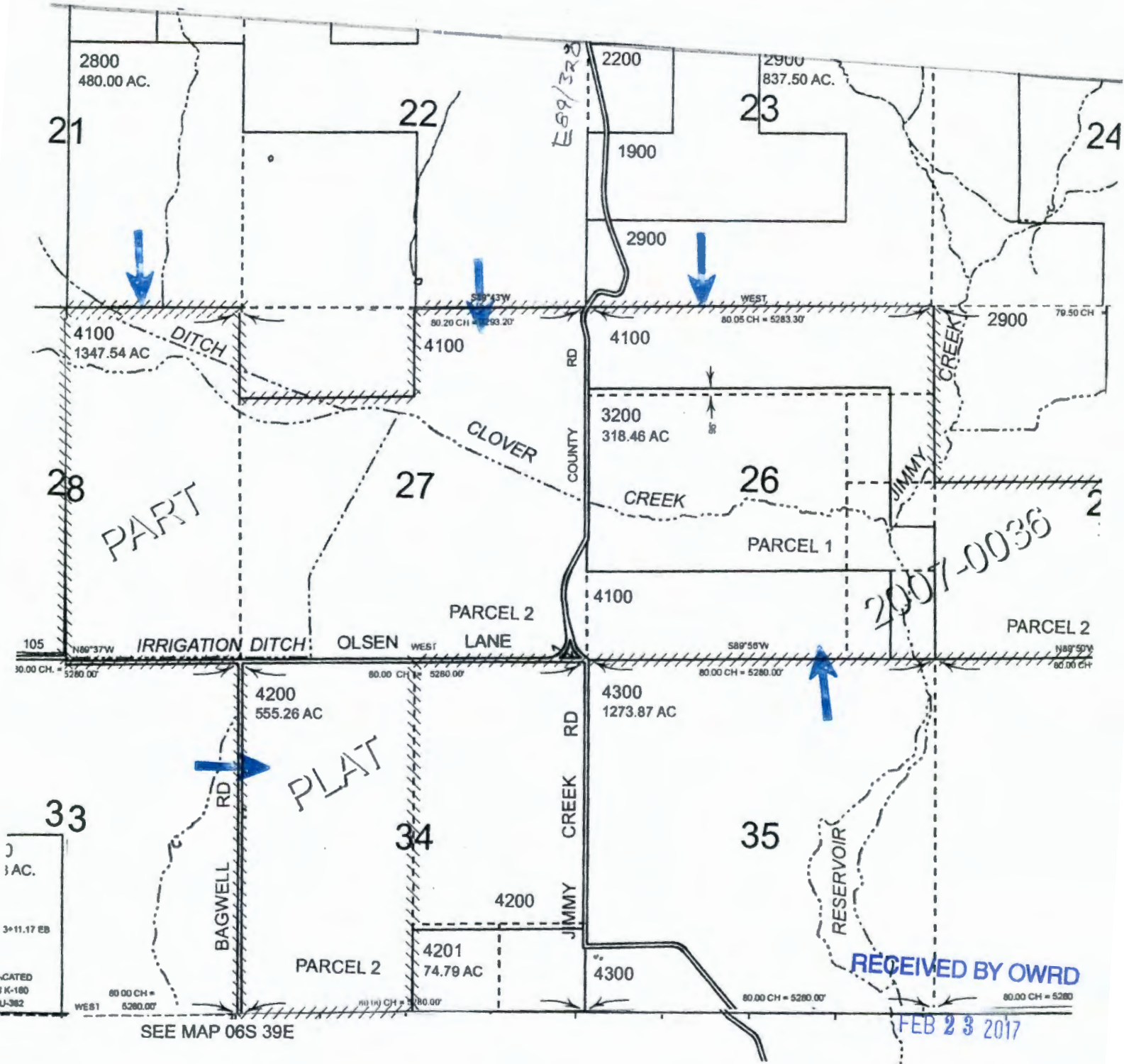


TITLE INSURANCE

ESCROW CLOSING

ESCROW COLLECTION

This map is furnished as a convenience in locating property; the company assumes no liability for any variation as may be disclosed by actual survey. ORDER NO. _____



SEE MAP 06S 39E

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FEB 23 2017

SALEM, OR

T 12593

**Oregon Water Resources Department
Water Rights Mapping Tool**

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

OWRD Only

725 Summer St NE, Sal

- Search
- Identify Non-Water Right Features
- Tax Lots
- Layers
 - Water Rights by Use
 - Water Rights by Type
 - Water Rights by Type-Use
 - Water Rights by Prim./Suppl
 - Irrigation Districts AOI
 - Other Irrigation Districts
 - Administrative Boundaries
 - Rules
 - Surface Water
 - Hydrography/River Miles
 - Transportation
 - Stream Gages
 - ◆ Dams
 - Exempt Use Wells (partial)
 - PODs by Source Type
 - Taxlots
 - PLSS



Tools

All Fields Search...

#	ID (select)	WRIS	Zoom	Water Right	Water Type	First Name	Last Name	Company	Use Desc.	Priority Date	Supp.	Duty	Rate cfs	Rate cfs Est.	Max Rate cfs	Acre ft	Acre ft
1	100903	(Details)	Map WR	Permit: G 17645 * IR	GW			HEFFERNAN FAMILY...	IRRIGATION	07/02/2007	-	3	2.98	Yes	14.9		
2	100904	(Details)	Map WR	Permit: G 17645 * IR	GW			HEFFERNAN FAMILY...	IRRIGATION	07/02/2007	-	3	2.98	Yes	14.9		

Search took 0 sec



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

February 28, 2017

HEFFERNAN FAMILY TRUST
CHRIS HEFFERNAN, PRESIDENT
63600 VIEWPOINT LANE
NORTH POWDER, OR 97867

Goes w/
Tube &
MARS

Reference: Application T- 12593

On February 23, 2017, we received your water right Transfer application. The application was accompanied by \$1000.00. Our receipt number 122736 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use until a final order approving the application has been issued by the Department.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #7 (via email)
Gregory T. Blackman, Agent

Enclosure





Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

February 28, 2017

HEFFERNAN FAMILY TRUST
CHRIS HEFFERNAN, PRESIDENT
63600 VIEWPOINT LANE
NORTH POWDER, OR 97867

Reference: Application T- 12593

On February 23, 2017, we received your water right Transfer application. The application was accompanied by \$1000.00. Our receipt number 122736 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use until a final order approving the application has been issued by the Department.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #7 (via email)
Gregory T. Blackman, Agent

Enclosure



Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	<u>T 12590</u>
Water Right	Permit: G 15352
County/Basin	Yamhill / Willamette(2)
Applicant Name	NORTH AMERICAN PLANTS INC 9375 SE WARMINGTON RD MCMINNVILLE, OR 97128
Proposed Change Sources/TRSQ40Q160	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION A WELL > HAWN CREEK / 4.00S 4.00W 11 NESE A WELL > HAWN CREEK / 4.00S 4.00W 11 NWSE A WELL > HAWN CREEK / 4.00S 4.00W 11 NWSE A WELL > HAWN CREEK / 4.00S 4.00W 11 NWSE
Use/Quantity	NURSERY USES / 0.244 CFS (est) NURSERY USES / 0.244 CFS (est) NURSERY USES / 0.244 CFS (est) NURSERY USES / 0.244 CFS (est)
Priority Date	06/14/2001

Transfer	<u>T 12593</u>
Water Right	Permit: G 17645
County/Basin	Union / Powder(9)
Applicant Name	HEFFERNAN FAMILY TRUST; CHRIS HEFFERNAN, PRESIDENT 63600 VIEWPOINT LANE NORTH POWDER, OR 97867
Proposed Change Sources/TRSQ40Q160	PLACE OF USE A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 34 SWNW A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 34 NWNW A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 27 NWSW A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 27 SWSE A WELL > CLOVER CREEK BASIN / 5.00S 39.00E 26 SWSW
Use/Quantity	IRRIGATION / 2.980 CFS (est) IRRIGATION / 2.980 CFS (est) IRRIGATION / 2.980 CFS (est) IRRIGATION / 2.980 CFS (est) IRRIGATION / 2.980 CFS (est)
Priority Date	07/02/2007

Permit Amendment Application Checklist

Checked by *FB* Date 2.23.2017

(If OK, check box to left; if not, fill in the blank)

1. Is the name of the Permit Amendment applicant(s) the same as the permit holder(s) of record?
 If not, one of the following must be included with the application:
- a) A written statement from the permit holder of record, consenting to the Permit Amendment Application; **OR**
 - b) A concurrent "Request for Assignment" to move the permit into the Permit Amendment applicant's name (if the Permit Amendment applicant now owns the property); **OR**
 - c) A concurrent "Request for Assignment" to move the permit into the name of a third party (who now owns the property), and a written statement from that third party consenting to the Permit Amendment Application.

If not, what is missing? _____

2. Page 1 of application: Are all attachments that have been checked actually included?
 If not, what is missing? _____

3. Are fees included and correct?
 If not, the correct fee would be: _____, so the amount missing is: _____

NOTE: Only a POU and/or a POD/POA change can be done under a Permit Amendment Application.

Base fee for <u>one permit</u> , one change and first cfs =		\$1,000.00
Additional fee for <u>second change</u> , if applicable (see Page 5 of application) =		\$800.00
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change a SW diversion point to a well =		\$350.00
# of additional permits (see Part 4 of application) =	_____	x \$450.00 =
If a change in POU <u>and</u> the application involves more than 1 cfs (based on <u>primary acres x rate</u>), # cfs or fraction above the first cfs =	_____	x \$300.00 =
<i>HINT: Total cfs on permit (+) total # acres on permit (x) # acres involved in permit amendment = # cfs involved in permit amendment</i>		
Sub-total =		1000
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		

4. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?
 If not, whose signature is missing? _____

5. Are all listed permits shown by WRIS as non-cancelled and with at least 6 months remaining before the C-date(s) expire? If permit cancelled, C-date(s) expired, or it has less than 6 months until the C-date(s) expire, **DO NOT ACCEPT**.

If C-date(s) expired (or it has less than 6 months until the C-date(s) expire), the applicant will need to get a Permit Extension of Time for Permit(s) _____ **before** we can accept the permit amendment application.

6. If all #1 – #5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder.

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the **deficiencies listed in the “staff” section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 122736

INVOICE # _____

RECEIVED FROM: Chris & Donna Heffernan
BY: Farm Account

APPLICATION _____
PERMIT _____
TRANSFER T-12593

CASH: CHECK:# 1846 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

46110

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ 1,000.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____
OTHER (IDENTIFY) _____

RECORD FEE

LICENSE FEE

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: 122736

DATED: 2/23/17 BY: [Signature]

CHRIS & DONNA HEFFERNAN

FARM ACCOUNT

1846

Oregon Water Resources Department

2/9/2017

1,000.00

Permit Amendment.

RECEIVED BY OWRD

FEB 23 2017

SALEM, OR

Community Bank

1,000.00